

III. REMARKS

Claims 1-13 and 15-18 are pending in the application. Applicants have proposed canceling claim 1 and amending claims 2-6, 10 and 11 to depend from claim 18, which the Examiner has allowed. Further claim 15 has been amended. Claims 16 and 17 have been cancelled. Thus, claims 2-13, 15, and 18 remain in the application.

Claim Rejections – 35 USC §112

The Examiner has rejected claim 16 under 35 USC §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter of the present invention. In particular, the Examiner cites the absence of method/process steps. While applicants disagree, generally, that claims of the form of claim 16 herein are indefinite, applicants have cancelled claim 16, thus rendering the rejection moot.

Claim Rejections – 35 USC §103

The Examiner has rejected claims 1-13 and 15-16 under 35 USC §103(a) as being unpatentable over U.S. Patent No. 6,238,738 to McCurdy in view of U.S. Patent No. 5,474,851 to Ganswein.

First, applicants note with appreciation that the Examiner has allowed claims 17 and 18.

Applicants have cancelled claim 1, 16 and 17, and amended claims 2-6, 10 and 11 to depend from allowed claim 18. Claims 2-13 now depend directly or indirectly from

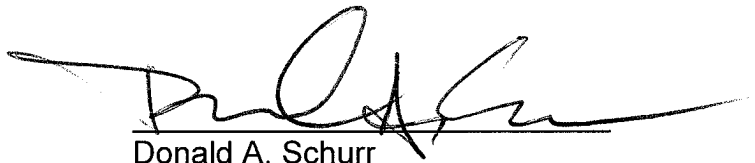
allowed claim 18. Claim 15 has been amended to include a limitation regarding the refractive index of the coating, as in allowed claim 18. Applicants respectfully submit that all of the remaining claims in the present application contain, or depend from a claim which contains, the limitation that the gallium oxide coating has a "refractive index of about 1.7-1.95."

For at least these reasons, applicants submit that claims 2-13, 15 and 18 are distinguishable from and patentable over the cited references.

Applicants respectfully submit that the present amendment places the application in condition for allowance. Accordingly, it is courteously requested that it be entered and the application passed to issue. If for any reason it is found that the amendment does not place the application in condition for allowance, it is requested that it be entered as placing the application in better form for appeal.

In the event the Examiner would prefer language other than that set forth in the claims, the favor of a telephone call to applicants' attorney to expedite the prosecution of the application is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Donald A. Schurr', is written over a horizontal line.

Donald A. Schurr
Reg. No. 34,247

ATTORNEYS:
Marshall & Melhorn, LLC.
Four SeaGate, 8th Floor
Toledo, OH 43604
(419) 249-7145
(419) 249-7151 Fax